

Remarks

In the Office Action of Paper No. 7 claims 1-6 and 21-28 were allowed and claims 14-18 were objected to as reciting allowable subject matter, but depending from a rejected base claim.

Claim 14 has been amended herein to include all of the subject matter of independent claim 13 from which it directly depended. It is therefore respectfully submitted that amended claim 14 is allowable over the prior art of record. Claims 15-18 all depend from amended claim 14 and therefore are also allowable over the prior art of record.

In the Office Action of Paper No. 7, claims 7-9 were rejected under 35 U.S.C. § 103(a) as being obvious in view of the disclosure of the Hatsutori Japanese Patent Publication No. 58-192,450 and in view of the Inao at el., Japanese Patent Publication No. 08-037,752. It is respectfully submitted that the disclosures of these two references would not suggest the subject matter of the invention recited in claims 7-9 to the ordinary skilled artisan and therefore the subject matter of the claims is not made obvious in view of the references.

Of the rejected claims, claim 7 is the only independent claim. Claim 7 recites a gasket having opposite first and second surfaces where the first surface engages against a conduit enclosure and the second surface engages against a motor. In addition, claim 7 recites a gasket lead opening positioned on the gasket and a wall projecting outwardly from the gasket first surface and extending around the gasket lead opening defining a cavity within the wall and adjacent the lead opening.

In the references relied on in the rejection of claim 7, the Hatsutori reference is relied on for showing a gasket 16 in Figures 8-10 having a lead opening 16a and a wall 16c that extends from a first surface (within the wall) of the gasket. However, the wall 16c of the Hatsutori reference extends into a through hole 6a of the motor shown in Figure 10 of the reference. The translation of the reference provided with the last Office Action also sets forth that the open part 16b of the cup 16 is faced to the through hole 6a side of the motor terminal base 6. (Page 5, lines 5-6). Thus, the Hatsutori reference does not disclose a gasket with a first surface that

engages against a conduit enclosure and a wall that projects outwardly from the gasket first surface as recited in claim 7, but discloses a reverse construction where a gasket surface that faces toward an opening in a motor terminal base 6 has a wall 16c that extends into the motor terminal base 6. The Hatsutori reference does not suggest the subject matter of the invention recited in claim 7, but suggests the exact opposite of that subject matter.

The shortcomings of the Hatsutori reference are not overcome by the disclosure of the Inao reference. The Inao reference does not contain any disclosure that would suggest the gasket having opposite first and second surfaces where the first surface engages against a conduit enclosure and the second surface engages against a motor, and the gasket having a wall that projects outwardly from the gasket first surface as recited in claim 7.

Because the Hatsutori and Inao references do not suggest the subject matter of the invention recited in claim 7, but suggest the reverse of the claimed subject matter, it is respectfully submitted that the references would not suggest to the ordinary skilled artisan the subject matter of the invention recited in claim 7 and that subject matter is not obvious in view of the references. It is therefore respectfully submitted that claim 7 is not obvious and allowable over the prior art.

Claims 8 and 9 depend from claim 7 and are therefore allowable for the same reasons set forth above. Furthermore, claim 8 recites that the gasket is constructed of a resilient material that enables the gasket lead opening to be stretched around leads passed through the lead opening. In contrast to the above, the Hatsutori gasket is formed of metal or synthetic resin. This is set forth in the translation of the reference on page 5, line 5. Thus, the Hatsutori reference teaches away from the construction of the gasket set forth in claim 8 and for this additional reason claim 8 is allowable over the prior art.

Claim 10 was rejected under 35 U.S.C. § 103(a) as being obvious in view of Hatsutori and Inao as applied to claim 7 from which claim 10 depends, and further in view of the Japanese Patent Publication of Maeda No. 10-174,346.

It is first pointed out that a copy of the Maeda reference was not provided with the Office Action and the Maeda reference was not listed on the 892 form that accompanied the Office Action. A copy of the reference and an 892 form listing the reference are requested.

Furthermore, the Maeda reference is relied on for a disclosure of resin within a wall.

It is respectfully submitted that this disclosure of the Maeda reference does not overcome the shortcomings of the Hatsutori and Inao references set forth above with regard to claim 7. Because it appears that none of the references relied on in rejecting claim 10, which depends from claim 7, suggest the subject matter of claim 7, it is respectfully submitted that the subject matter of claim 10 is not made obvious in view of these references and the claim is allowable over the prior art.

Claims 11 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hatsutori and Inao as applied to claim 7, and further in view of the German Patent Publication of Hilneder No. 30 11 975. It is respectfully submitted that the disclosure of the Hilneder reference does not overcome the shortcomings of the Hatsutori and Inao references as set forth above with regard to claim 7, from which claims 11 and 12 depend. Again, none of the references relied on in rejecting claims 11 and 12 suggest the subject matter of the invention set forth in claim 7 from which claims 11 and 12 depend. It is therefore respectfully submitted that claims 11 and 12 are not obvious and are allowable over the prior art of record.

Claim 13 was rejected under 35 U.S.C. §103(a) as being obvious in view of the disclosure of the Inao reference and the Hilneder reference. A translation of the Hilneder reference has been provided with the last Office Action. It is respectfully submitted that the rejection of claim 13 is based on a misinterpretation of the disclosure of the Hilneder reference, and therefore the prior art references relied on in rejecting claim 13 would not provide sufficient information to the ordinary skilled artisan to render the subject matter of claim 13 obvious. Therefore, claim 13 is allowable over the prior art of record.

Claim 13 recites a gasket having opposite first and second surfaces, the first surface having a projection that extends outwardly from the first surface and has a cavity within the projection, the cavity having a lead opening that extends through the gasket and aligns with lead openings of a conduit box and a motor shell, and a sealant in the gasket cavity. Thus, claim 13 requires that the gasket have both a cavity in a projection of the gasket and the cavity have a lead opening that extends through the gasket.

The rejection of claim 13 contends that the Inao reference teaches every aspect of the invention including a wire extending through a cavity, stating that it is inherent that the wire is in a cavity. However, as set forth above, claim 13 requires both (1) a cavity within a projection of the gasket and (2) the cavity having a lead opening that extends through the gasket. The rejection of claim 13 fails to identify in either of the prior art references these two structural features of the inventions specifically set forth in claim 13. The Inao reference either has a cavity through which the wire extends or a lead opening through which the wire extends. The gasket of Inao does not have both a cavity and a lead opening that extends through the gasket as set forth in claim 13. This shortcoming of the Inao reference is not overcome by the Hilneder reference which appears to be relied on for a teaching of a sealant in a gasket cavity. Thus, claim 13 is not made obvious by the disclosures of these two references and is allowable over the prior art.

Furthermore, it also appears as though the Hilneder reference is being relied on for a teaching of a wall around cables that extends completely through an enclosure opening. What is interpreted as the wall in the Hilneder reference is not identified in the rejection. However, the translation of the Hilneder reference provided with the Office Action appears to set forth that the reference discloses a terminal box having a lower part 1A provided with a circular opening 1B for accommodation of an isolating support base 3 for a multiple number of graduated supply terminals 4. (Page 4, lines 8-21). The supporting base 3 supports the multiple number of supply terminals 4 by receiving supporting pieces 5 of the terminals in thickened edge zones of the

supporting base 3. (Page 5, lines 8-11). There does not appear to be any disclosure in the translation of the Hilneder reference that the thickened end zones of the supporting base 3 that receive the flat supporting pieces 5 are "a wall around the cables that extends completely through the enclosure opening" as contended in the rejection of claim 13. Figure 1 of the reference indicates that the thickened end zones that support the flat supporting pieces 5 are not part of a circular wall projecting from a gasket because the back half of a wall would be visible in the cross section of the drawing figure. Thus, the rejection of claim 13 is based on a misinterpretation of what the Hilneder reference discloses, and for this additional reason it is respectfully submitted that the Hilneder reference would not suggest the subject matter of claim 13 to the ordinary skilled artisan. For this additional reason, claim 13 is allowable over the prior art of record.

Claim 19 was rejected under 35 U.S.C. § 103(a) as being obvious in view of Inao and Hilneder as applied to claim 7, and further in view of the U.S. Patent of Bryant No. 5,889,343. In the rejection it is stated that the Bryant reference teaches a seal being an epoxy. It is respectfully submitted that the Bryant reference does not overcome the shortcomings of Inao and Hilneder as set forth above with regard to claim 13 from which claim 19 depends. It is therefore respectfully submitted that claim 19 is allowable over the prior art for the same reasons set forth above with regard to claim 13.

Claim 20 was rejected under 35 U.S.C. § 103(a) as being obvious in view of Inao and Hilneder as applied to claim 13, and further in view of the U.S. Patent of Hillix No. 1,646,962. In the rejection it is stated that the Hillix reference teaches a conduit box being curved. It is respectfully submitted that the Hillix reference does not overcome the shortcomings of the Inao and Hilneder references set forth above with regard to claim 13 from which claim 20 depends. For the same reasons set forth above with regard to claim 13, it is respectfully submitted that the subject matter of claim 20 is allowable over the prior art of record.

It is respectfully submitted that with the amendments and remarks presented herein, claims 1-28 are in condition for allowance and favorable action is requested.

Respectfully submitted,  
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Claims as Amended

Claim 14 (Amended) A motor comprising:

a motor shell and leads that exit the motor shell through a lead opening in the motor shell;

a conduit box having a bottom wall and side walls extending at an angle from the bottom wall, the bottom wall and side walls of the conduit box defining an interior of the conduit box, the bottom wall having a conduit box lead opening and the bottom wall being attached to the motor shell so that the lead opening in the bottom wall is aligned with the motor shell lead opening;

a gasket positioned between the conduit box and the motor shell to provide a liquid tight seal between the conduit box and the motor shell so that no liquid can enter the conduit box or the motor shell through the conduit box lead opening or the motor shell lead opening, the gasket having opposite first and second surfaces, the first surface having a project that extends outwardly from the first surface and has a cavity within the projection, the cavity has a lead opening that extends through the gasket and aligns with the conduit box lead opening and the motor shell lead opening so that the leads extend from the motor, through the motor shell lead opening, through the gasket cavity lead opening, through the conduit box lead opening and into the conduit box interior;

a sealant residing in the gasket cavity, the sealant forming a liquid tight seal between the gasket cavity and the leads while limiting the sealant from coming in contact with the conduit box lead opening or the motor shell lead opening, the gasket thereby allowing the conduit box to be removed from the motor shell and rotated to an alternate orientation relative to the motor shell and reattached to the motor shell in the alternate orientation without breaking the seal between the leads and the gasket cavity formed by the sealant;

the conduit box lead opening is an annular lead opening;

the gasket projection is an annular wall that forms a cup on the first surface of the gasket, the annular wall being complementary to the conduit box annular lead opening; and the gasket cavity is an interior of the cup.